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January 2, 2011

Hon. Neal P. McCurn
Senior U.S. District Court Judge
U.S. District Court for the Northern District of New York
Federal Building and U.S. Courthouse
P.O. Box 7365
Syracuse, NY 13261-7365

Re: Status Letter regarding: (1) Jeffrey Thrall v. Central New York Regional Transportation Authority et al. Docket Number 08-4421-CV (United States Second Circuit Court of Appeals); (2) Jeffrey Thrall v. Central New York Regional Transportation Authority et al. 5.08-CV-0032 (NPM/GHL); (3) Jeffrey Thrall v. CNY Centro, Inc. et al. 5:09-CV-567 (NPM/GHL)

Your Honor:

Please consider this as a Status Letter in connection with the above referenced litigation. As you know a Mandate was issued on December 6, 2010, by the United States Court of Appeals for the Second Circuit, regarding the Summary Order filed November 4, 2010, in connection with 5.08-CV-0032.

As this Court is aware, the above referenced matters are inextricably linked through common questions of law and fact. The Attorneys for CNY Centro Inc., have filed a motion with the New York State Supreme Court Appellate Division Fourth Department returnable, January 3, 2011 for consolidation of two appeals filed from the Orders dated and entered on November 9, 2009 and April 19, 2010 of New York State Supreme Court Justice James P. Murphy, Onondaga County Index Number 2003-7935, vacating the Order and Judgment of the Honorable William R. Roy signed March 30, 2004, and granting Petitioner's motion for

Summary Judgment Declaring section 2.07 of the Collective Bargaining Agreement void and unenforceable as a matter of law, and vacating and annulling the Decision of the Grievance Review Board dated August 20, 2003 denying the Petitioner disability pension benefits.

The Attorneys for the Respondents-Appellants in New York State Supreme Court Index Number 2003-7935 have requested a 60 day extension, from the date of the issuance of an Order consolidating the appeals, to perfect the appeals. It is my intention to file a Responding Brief within 30 days of perfection and move for an Order granting expedited argument of the Appeals.

Respectfully submitted,

Robert Louis Riley, Esq.

cc: Nathaniel Lambright, Esq.
Craig Atlas, Esq.
Plaintiff Jeffrey Thrall